

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ALBERT J. ISAAC and
ROSETTA W. ISAAC,

Plaintiffs,

vs.

NCO GROUP, INC. and NCO
FINANCIAL SYSTEMS, INC.,

Defendants.

Civil Action Number
2:09-cv-1491-AKK

ORDER

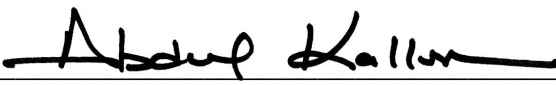
The court has before it Defendants' Motion to Compel Discovery Responses, filed July 27, 2010. Doc. 49. On July 28, 2010, the court entered a briefing schedule giving Plaintiffs until August 18, 2010, to respond. Doc. 52. On August 16, 2010, Plaintiffs responded by filing a Notice of Possible Settlement and Motion for a Stay. Doc. 53. In their notice and motion, Plaintiffs represented that the parties had agreed to a "possible settlement" and requested that the court stay the case for sixty days to permit the parties to work out the settlement and for Plaintiffs to respond to the motion to compel. *Id.* On August 24, 2010, Defendants responded and opposed the stay on the basis that the parties have exchanged drafts of the settlement agreement, that the settlement agreement

appears to be close to execution, and that a stay of sixty days is unnecessary.

The court finds that a stay of sixty days is excessive, particularly as discovery is scheduled to close on September 20, 2010. Furthermore, according to Defendants, the parties agreed to settle this case on July 30, 2010, and have since exchanged at least two drafts of a settlement agreement. Doc. 54 at 1-2. Plaintiffs should not require an additional sixty days to determine whether they intend to accept the settlement. Therefore, Plaintiffs motion to stay is DENIED. The court will delay ruling on Defendants' motion to compel as it may be mooted by a settlement. However, if Plaintiffs do not intend to settle their case and do wish to oppose the motion, they should file their response by **September 3, 2010**.

The Clerk is DIRECTED to send a copy of this order to Plaintiffs.

DONE this 25th day of August, 2010.



ABDUL K. KALLON
UNITED STATES DISTRICT JUDGE